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| FORM PTO-1390<br>MODIFIED   |             | 1390 U.S. DEPARTME  | ENT OF COMMERCE PATENT AND TRADEMARK OFFICE      | ATTORNEY'S DOCKET NUMBER 622-89  |  |  |  |  |  |
| TRANSMITTAL LETTER TO THE UNITED STATES U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  |             |   |  |  |  |  |  |  |  |
| DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 871 INTERNATIONAL APPLICATION NO. PCT/EP2004/006549 INTERNATIONAL FILING DATE PCT/EP2004/006549 INTERNATIONAL FILING DATE PCT/EP2004/006549 23 June 2003 |             |   |  |  |  |  |  |  |  |
| INTE  |             | IONAL APPLICATION NO.   | INTERNATIONAL FILING DATE YES                    | SPRIORITY DATE CLAIMED   |  |  |  |  |  |
|   | P           | CT/EP2004/006549  | 15 June 2004                                     | 23 June 2003   |  |  |  |  |  |
| TITL  | E OF        | INVENTION   |  |  |  |  |  |  |  |
|   |             | - **.   | ALL RESTRUCTURING COMPOSITIONS FOR T             | OPICAL APPLICATION   |  |  |  |  |  |
| APPLICANT(S) FOR DO/EO/US  MAILLAND   |             |   |  |  |  |  |  |  |  |
| App   | licant      | herewith submits to the U   | United States Designated/Elected Office (DO/EC   | O/US) the following items and other information:   |  |  |  |  |  |
| 1.  |             | This is a FIRST submis  | sion of items concerning a submission under 35   | U.S.C. 371.  |  |  |  |  |  |
| 2.  | $\boxtimes$ | This is a SECOND or S   | SUBSEQUENT submission of items concerning a      | a submission under 35 U.S.C. 371.  |  |  |  |  |  |
| 3.  |             | This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.  |  |  |  |  |  |  |  |
| 4.  |             | The U.S. has been elec  | eted (Article 31).                               |  |  |  |  |  |  |
| 5.  | A co        | py of the International Ap  | pplication as filed (35 U.S.C. 371(c)(2).        |  |  |  |  |  |  |
|   | a.          | is attached hereto  | o ( pages specification, claims & abstract (     | claims), sheets drawings).   |  |  |  |  |  |
|   | b.          | has been commun   | nicated by the International Bureau.             |  |  |  |  |  |  |
|   | C.          | is not required, as the application was filed in the United States Receiving Office (RO/US).  |  |  |  |  |  |  |  |
| 6.  |             | An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)  |  |  |  |  |  |  |  |
|   | a.<br>Certi | is attached hereto ificate of Translation).   | pages specification, claims & abstract (         | claims), sheets drawings, page   |  |  |  |  |  |
|   | b.          | ☐ has been previous   | sly submitted under 35 U.S.C. 154(d)(4).         |  |  |  |  |  |  |
| 7.  |             | Amendments to the cla   | ims of the International Application under PCT A | rticle 19 (35 U.S.C. 371(c)(3)   |  |  |  |  |  |
|   | a.          | are attached hereto (required only if not communicated by the International Bureau).  |  |  |  |  |  |  |  |
|   | b.          | have been commu   | unicated by the International Bureau.            |  |  |  |  |  |  |
|   | C.          | have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.  |  |  |  |  |  |  |  |
|   | d.          | have not been ma  | ade and will not be made.                        |  |  |  |  |  |  |
| 8.  |             | An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3).  |  |  |  |  |  |  |  |
| 9.  | a.          | An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4).   |  |  |  |  |  |  |  |
|   | b.<br>Forn  | Declaration was submitted to the International Bureau during International Phase (see copies of Declaration ( page rm PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached). |  |  |  |  |  |  |  |
| 10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35   |             |   |  |  |  |  |  |  |  |
| U.S.C. 371(c)(5). Items 11 To 20 below concern document(s) or information included:   |             |   |  |  |  |  |  |  |  |
| 11.   |             | An Information Disclosu   | ure Statement under 37 C.F.R. 1.97 and 1.98.     |  |  |  |  |  |  |
| 12.   |             | An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.  |  |  |  |  |  |  |  |
| 13.   | a.<br>b.    | ☐ A FIRST preliminary amendment.  |  |  |  |  |  |  |  |
| 14.   |             | A SECOND or SUBSEQUENT preliminary amendment.  An Application Data Sheet under 37 C.F.R. § 1.76.  |  |  |  |  |  |  |  |
| 15.   |             | A substitute specification.   |  |  |  |  |  |  |  |
| 16.   |             | A change of power of attorney and/or address letter.  |  |  |  |  |  |  |  |
| 17.   |             | A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.  |  |  |  |  |  |  |  |
| 18.   |             | A second copy of the published international application under 35 U.S.C. 154(d)(4).   |  |  |  |  |  |  |  |
| 19.   |             | A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).   |  |  |  |  |  |  |  |
| 20.   | $\boxtimes$ | Other items or information. Executed Exclusive Substitute Power of Attorney; Identification of Practitioners to be Recognized   |  |  |  |  |  |  |  |

Other items or information. Executed Exclusive Substitute Power of Attorney; Identification of Practitioners to be Recognized

| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)   |   |                  |   |                  | IN              | INTERNATIONAL APPLICATION NO. PCT/EP2004/006549 |                          |              | ATTORNEY'S DOCKET NUMBER 622-89 |            |            |             |          |  |
|--|---|------------------|---|------------------|-----------------|---|--------------------------|--------------|---------------------------------|------------|------------|-------------|----------|--|
| The following fees are submitted:  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  | 92(a)(1)-(5):   |   |                          |              |                                 |            |            |             |          |  |
| 21. 🔲  | Basic n   | ational fe       | е                                       |                  |                 |   | \$30                     | 0.00 (       | (1631)/\$150.00                 | (2631)     | \$         | 0.00        |          |  |
| 22. 🗌  |   |                  |   |                  |                 |   |                          |              | \$0 (1643                       | •          |            | 0.00        |          |  |
|  |   |                  |   |                  |                 |   |                          |              | (1633)/\$100.00                 |            | \$         | 0.00        |          |  |
| 23. 🗌  |   |                  |   |                  |                 |   |                          |              | \$0 (1640                       |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              | 100 (1641)/\$50                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              | 00 (1642)/\$200                 |            |            | 0.00        |          |  |
|  | •••••   | ••••••           | • | ••••••           | •••••           | ••••  |                          |              | (1632)/\$250.00                 |            | 1          | 0.00        |          |  |
| TOTAL OF ABOVE CALCULATIONS  |   |                  |   |                  |                 |   |                          |              | \$                              | 0.00       |            |             |          |  |
|  | Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
| Total S  |   | Extra S          |   |                  | of each addit   |   |                          |              | RATE                            |            |            |             |          |  |
|  |   |                  |   | fraction         | thereof (round  | up  | to a whole               |              |                                 |            |            |             |          |  |
| 26   | -100  | 0                | /50 =                                   | 0.00             |                 |   | I                        | \$0.0        | 00 (1681)                       |            | \$         | 0.00        |          |  |
|  |   |                  |   |                  |                 |   |                          | •            | ( ) )                           |            |            |             |          |  |
|  |   |                  |   | ļ                |                 |   |                          | \$0.0        | <b>)0</b> (2681)                |            |            |             |          |  |
|  |   |                  | <u> </u>                                |                  |                 |   |                          |              |                                 |            | Ш          |             | - 24     |  |
| Surchar  | ge of <b>\$13</b>   | <b>10.00</b> (16 | 17)/ <b>\$65</b>                        | <b>.00</b> (2617 | ) for furnishir | ng t  | he oath or de            | clarati      | ion later than 🗌                | 30 months  |            |             |          |  |
| from the   | earliest  | claimed p        | oriority o                              | date (37 C       | C.F.R. 1.492(   | e).   |                          |              |                                 |            | \$         | 0.00        |          |  |
|  | _AIMS   |                  |   | FILED            | # EXTRA         |   |                          |              | RATE                            |            | Ц          |             |          |  |
| Total Cla  | aims  | 2:               | 3   m                                   | inus 23          | 0 X             | \$  | 50.00 (1615)/            |              | \$25.00 (2615)                  | ·          | \$         | 0.00        |          |  |
| Indepen  | dent Clai   | ims 1            | - m                                     | =<br>inus 3 =    | 0 X             | 6,  | 200.00 (1614)            |              | \$100.00 (261                   | 1)         | \$         | 0.00        | -        |  |
|  |   |                  |   |                  | ·               | <del></del>                                     |                          |              | 6)/\$180.00 (26                 |            | \$         | 0.00        |          |  |
|  |   |                  |   |                  |                 |   |                          |              | date of this pa                 |            | ۲          | 0.00        |          |  |
| attachme   | ent(s): Č   | ne Mont          | h Exten                                 | sion \$120       | ).00 (1251)/\$  | 60.   | 00 (2251); Tw            | o Moi        | nth Extensions                  | \$450.00   |            |             |          |  |
|  |   |                  |   | nth Exten        | sions \$1020.   | 00  | (1253/\$510.00           | (225         | 33); Four Month                 | Extensions |            |             |          |  |
| \$1590.00 (1254/\$795.00 (2254)  |   |                  |   |                  |                 |   | 0.00                     |              |                                 |            |            |             |          |  |
|  | Applicant claims small entity status. See 37 CFR 1.27.  |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
| Processing fee of \$130.00 (1618), for furnishing the English Translation later than 20 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f). |   |                  |   |                  |                 |   | 0.00                     |              |                                 |            |            |             |          |  |
| 1110111110   | nom the   | <u>carnest c</u> | , airrica                               | priority de      | 10 (07 0.1 .1   |   | .432(1).                 |              | TOTAL NATION                    | ONAL FEE = | \$         | 0.00        | $\vdash$ |  |
| Fee for r  | recording   | the encl         | osed as                                 | ssignment        | t (37 C.F.R. 1  | 1.21  | I(h). The assi           | gnme         | ent must be acco                |            |            |             |          |  |
|  |   |                  | -                                       |                  | •               |   | (8021) per pr            |              |                                 |            | \$         | 0.00        |          |  |
| Fee for I  | Petition to   | o Revive         | Uninter                                 | ntionally A      | bandoned A      | ppl   | ication;\$ <b>1500</b> . | <b>00</b> (1 | 453) / <b>\$750.00</b>          | 2453)      | \$         | 0.00        |          |  |
| TOTAL FEES ENCLOSED =  |   |                  |   |                  |                 |   | CLOSED =                 | \$           | 0.00                            |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          | Arr          | nount to be:                    |            |            |             |          |  |
|  |   |                  |   |                  |                 |   | refunded:                |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            | nount to be | ا ا      |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            | \ \text{C} | narged:     | \$       |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            | ł          |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
|  | المسا   | .:               |   |                  |                 |   | ı                        |              |                                 |            |            |             |          |  |
| U.S. Application No.10/559,794; Atty Docket No.622-89  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |
| a.   A check in the amount of \$0.00 to cover the above fees is enclosed.  |   |                  |   |                  |                 |   |                          |              |                                 |            |            |             |          |  |

| b. 🔲  | Please charge my Deposit Account No. 14-1140 in the amount of \$ to cover the above fees.                                   |                          |  |  |  |  |  |  |  |
|---|---|--------------------------|--|--|--|--|--|--|--|
|   | A duplicate copy of this form is enclosed.  |                          |  |  |  |  |  |  |  |
| c. 🛛  | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any                    |                          |  |  |  |  |  |  |  |
|   | overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.                                      |                          |  |  |  |  |  |  |  |
| d. □  | CREDIT CARD PAYMENT FORM ATTACHED.  |                          |  |  |  |  |  |  |  |
| e. 🔯  | The entire content of International Application No. PCT/EP2004/006549 and any U.S. and foreign application(s) corresponding |                          |  |  |  |  |  |  |  |
| thereto, and 03076934.3, referred to in this application is/are hereby incorporated by reference in this application.           |   |                          |  |  |  |  |  |  |  |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) |   |                          |  |  |  |  |  |  |  |
|   | or (b) must be filed and granted to restore the application to pending status.  |                          |  |  |  |  |  |  |  |
|   | CORRESPONDENCE ADDRESS  |                          |  |  |  |  |  |  |  |
| Direct a  | all correspondence to:  |                          |  |  |  |  |  |  |  |
|   |   |                          |  |  |  |  |  |  |  |
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|   |   | Muno                     |  |  |  |  |  |  |  |
| Telephor  | ne: (703) 816-4000  | Leonard C/ Mitchard      |  |  |  |  |  |  |  |
| LCM:Ifm   | · ·   | NAME                     |  |  |  |  |  |  |  |
|   |   | 70 000 Fabruary C 2005   |  |  |  |  |  |  |  |
|   |   | 29,009 February 6, 2006  |  |  |  |  |  |  |  |
| <u> </u>  |   | REGISTRATION NUMBER Date |  |  |  |  |  |  |  |